

# SENATE BILL REPORT

## SHB 1565

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As Reported By Senate Committee On:  
Human Services & Corrections, March 20, 2007

**Title:** An act relating to public access to child in need of services and at-risk youth hearings.

**Brief Description:** Revising provisions relating to public access to child in need of services and at-risk youth hearings.

**Sponsors:** House Committee on Early Learning & Children's Services (originally sponsored by Representatives Kagi, Dickerson and Kenney).

**Brief History:** Passed House: 2/23/07, 94-0.

**Committee Activity:** Human Services & Corrections: 3/16/07, 3/20/07 [DP].

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** Do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Carrell, Marr and McAuliffe.

**Staff:** Indu Thomas (786-7459)

**Background:** There are several different types of hearings that pertain to the welfare of children. These hearings include child in need of services (CHINS), at-risk youth (ARY), dependency, and termination hearings. The CHINS proceedings may be initiated by a parent or child requesting court approval of an out-of-home placement. An ARY proceeding may be initiated by a parent who seeks assistance from the court in maintaining parental control over his or her child. Dependency and termination proceedings are generally initiated by the state in cases where the state is alleging the parent is not providing sufficiently appropriate care for his or her child and the state is seeking to intervene in the relationship. These hearings have traditionally been closed to the public.

In 2003, the Washington Legislature required that dependency or termination hearings be open to the public unless a judicial officer finds that excluding the public is in the best interests of the child. The CHINS and ARY hearings remain closed to the public.

**Summary of Substitute Bill:** A CHINS hearing must be open to the public unless the court determines that it is in the best interest of the child to close the hearing to the public. An ARY hearing is open to the public unless the court determines that it is in the best interest of the child to close the hearing to the public or if either parent requests that the hearing be closed to the public. At the beginning of an ARY hearing, the judicial officer is required to notify the

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parents that either parent has the right to request that the public be excluded from the ARY hearing.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This bill is substantially similar to previous open hearings bills for CHINS and ARY. It does take into consideration the concerns that were expressed regarding previous versions.

**Persons Testifying:** PRO: Representative Kagi, prime sponsor.